

**REMARKS**

Claims 5-9, 9-10, 12-17, and 20 are pending in the application after entry of this amendment. Claims 5-6, 9-10, 12-17, and 20 have been amended. Claims 1-4, 7-8, 11, and 18-19 have been canceled. Support for these amendments can be found in the claims and the specification of the originally filed application and no new matter has been added.

**I. REJECTIONS UNDER 35 U.S.C. §112**

**A. Rejection of Claims 5, 7, 9-10 and 12-20 under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph**

The Office Action has rejected claims 5, 7, 9-10, and 12-20 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Applicants respectfully disagree with this rejection for the following reasons.

Claim 5 has been amended to incorporate the subject matter of original claim 7 and to recite a bimodal polyethylene composition comprising a lower molecular weight polymer which is a binary copolymer of ethylene and 1-butene, and a higher molecular weight polymer which is either a binary copolymer of ethylene and 1-hexene or a terpolymer of ethylene, 1-butene and a C<sub>6</sub> to C<sub>12</sub> alpha olefin. The language “as comonomers to ethylene at least two C<sub>4</sub>-C<sub>12</sub> alpha olefins” has been deleted from the claim in view of the amendment described above.

For clarification, applicants note that in the originally filed claims, it is the composition, and not an individual component thereof, that is defined as comprising at least two C<sub>4-12</sub> alpha olefins in addition to ethylene. It is intended that the individual components of the claimed polymer can be homopolymers, copolymers, or terpolymers (*see* page 3 of the as-filed application). Moreover, Example 2 describes an ethylene butene lower molecular weight component and an ethylene hexene higher molecular weight component, as recited in amended claim 1. Thus, the application is intended to cover a composition in which there are two comonomers present and not exclusively a composition in which one of its components is a terpolymer.

Claim 7 has been canceled in view of the amendment to claim 5. Claims 18 and 19 have also been canceled. Claim 17, dependent from amended claim 5, has been amended to include the features of amended claim 5.

Claim 5 and the claims dependent therefrom are definite. Accordingly, this rejection should be withdrawn.

**B. Rejection of Claims 6-8 and 10 under 35 U.S.C. § 112, 1<sup>st</sup> paragraph**

The Office Action has rejected claims 6-8 and 10 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Specifically, the Office Action asserts that no support exists for utilization of the term “multimodal.” Applicants respectfully disagree with this rejection for the following reasons.

Claims 5-6, 10, 12-15, and 17 have been amended to replace the term “multimodal” with the term “bimodal.” Claims 7-8 have been canceled and claim 9 depends from amended claim 5. As described in the Office Action, support exists in the specification (see, for example, page 8) for the term “bimodal.” Therefore, this rejection should be withdrawn.

**CONCLUSION**

Pursuant to the above Remarks, entry of this amendment and reconsideration and allowance of the pending application is believed to be warranted. The Examiner is invited and encouraged to directly contact the undersigned if such contact may enhance the efficient prosecution of this application to issue.

A Credit Card Payment Form PTO-2038 authorizing payment in the amount of \$120.00, which includes the fee under 37 C.F.R. § 1.17(a)(1) for a One-Month Extension of Time is enclosed. This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 14-0629.

**ATTORNEY DOCKET NO. 04150.0024U1**  
**APPLICATION NO. 10/561,482**

Respectfully submitted,  
NEEDLE & ROSENBERG, P.C.

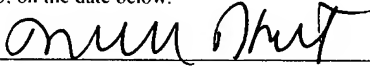


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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence and any documents referenced herein as being enclosed herein are being deposited with the United States Postal Service in an envelope addressed to: MAIL STOP AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date below.



Mitchell A. Katz

22 January 2008

Date